

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RL 900 PARK, LLC,

Plaintiff,

-against-

SIMONE ENDER, et al.

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 4/3/2020

1:18-cv-12121-MKV-KNF

ORDER

MARY KAY VYSKOCIL, United States District Judge:

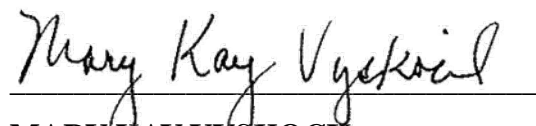
On March 23, 2020, Plaintiff filed a pre-motion letter in anticipation of a motion for partial summary judgment [ECF #167]. The anticipated motion seeks judgment only on the Plaintiff's claim against one Defendant, the Board of Managers of the Park 900 Condominium ("the Board"). On March 31, 2020, Plaintiff filed a notice informing the Court that, after conferring with the Board, the Board "will not be responding to Plaintiff's 56.1 Statement or opposing the Motion for Partial Summary Judgment" [ECF #173]. In light of the Board's decision not to contest the motion, the Court believes that this claim may be resolved without the expense involved in briefing. Accordingly,

IT IS ORDERED that Plaintiff and the Board should contact the Chambers of Magistrate Judge Kevin N. Fox, to whom this case is referred, to schedule a settlement conference on Plaintiff's claim against the Board.

IT IS FURTHER ORDERED that Plaintiff should consider whether to withdraw its pending motion, without prejudice to renewal following the settlement conference. Plaintiff should update the Court via letter on or before April 10, 2020.

**SO ORDERED.**

**Date: April 3, 2020  
New York, NY**

  
**MARY KAY VYSKOCIL  
United States District Judge**